

## AMENDMENTS TO THE CLAIMS

Claim 1 (currently amended): A hearth guard to cover a raised hearth comprising:

a first end section and [[:]] a second end section independently comprising:

a top panel;

a front panel;

a cover disposed in covering relation independently to said top panel and to said front panel or to a combination of said top panel and said front panel;  
and

means for fastening said covers together or for fastening said cover to a top or front surface of a raised hearth or a combination thereof;

an a adjustable center section adapted to adjust in length, wherein each of said end sections and said center section comprising comprises a cushioning material; and

a connecting means for connecting said first end section to said second end section[[:]] and, with a distance therebetween corresponding to a length of said adjustable center section.

~~fastening means.~~

Claim 2 (currently amended): The hearth guard of claim 1, wherein said first end section and said second end section independently further comprise:

~~a top panel;~~

~~a front panel; and~~

~~optionally, a side panel, each of said panels molded from~~ comprising the cushioning material; and

~~a covering means for each of said panels;~~

a cover disposed in covering relation to said side panel, wherein said means for fastening the covers further fastens the cloth cover disposed on said side panel to each

of the covers disposed on the top and front panels of the end sections thereby forming a structure adapted to encase a corner of a raised hearth.

~~wherein said fastening means fastens said covered top panel to said covered front panel, optionally said fastening means further fastening said covered side panel to both said covered top and front panels, such that said fastened covered panels form a structure to encase an end of the raised hearth.~~

Claim 3 (currently amended): The hearth guard of claim [[2]] 1, wherein said ~~covering means~~ is a cloth cover.

Claim 4 (currently amended): The hearth guard of claim 1, wherein said ~~first end section top panel~~ and said ~~second end section each front panel of each end section~~ comprise[[s]] a single piece ~~molded from the cushioning material, said single molded piece~~ forming a structure having a 90 degree angle adapted to encase an end of ~~the a~~ raised hearth.

Claim 5 (currently amended): The hearth guard of claim 1, wherein said adjustable center section comprises a single piece having a front panel and a top panel ~~molded from the cushioning material, said single molded piece~~ forming a structure having a 90 degree angle adapted to encase a center section of ~~the a~~ raised hearth.

Claim 6 (currently amended): The hearth guard of claim 1, wherein said adjustable center section comprises a single piece having a top panel and a front panel, ~~said top panel and said front panel molded from the cushioning material to~~ folded across an angle juncture formed by said panels, wherein the top and front panels of said folded single ~~molded piece~~ ~~unfold[[s]] to~~ forming a structure having a 90 degree angle adapted to encase a center section of ~~the a~~ raised hearth.

Claim 7 (currently amended): The hearth guard of claim 1, wherein said adjustable center section comprises:

a top panel; and

a front panel, ~~each of said panels molded from the cushioning material,~~

wherein said top and front panels are ~~positioned~~ disposed at a 90 degree angle relative to each other and adapted to encase a center section of ~~the~~ a raised hearth.

Claim 8 (original): The hearth guard of claim 1, wherein said adjustable center section is adjustable in length.

Claim 9 (currently amended): The hearth guard of claim 1, wherein said adjustable center section is perforated at parallel intervals along the width thereof forming a structure comprising perforated segments, said perforated segments adapted to be removed thereby adjusting length.

Claim 10 (canceled).

Claim 11 (currently amended): The hearth guard of claim 1, further comprising:

~~a first removable~~ decorative fabric covers separately and removably disposed in covering relation on a surface comprising at least front surfaces of the end and center sections and on a surface comprising at least top surfaces of the end and center sections of the hearth guard; and

~~a second removable decorative fabric cover, each of said adjustable decorative fabric covers having a length at least sufficient to cover said end sections and said center section of the hearth guard,~~

~~wherein said fastening means fastens~~ for fastening said ~~first and said second~~ fabric covers separately to a surface of said end sections of the hearth guard[[:]] and

~~wherein said fastening means fasten[[s]] said first fabric cover to said second fabric covers together along a front edge the length of the the~~ hearth guard.

Claim 12 (original): The hearth guard of claim 1, further comprising a fire-resistant coating applied thereon.

Claim 13 (original): The hearth guard of claim 1, wherein the cushioning material is foam.

Claims 14-17 (canceled).

Claim 18 (original): A method of protectively covering a raised hearth comprising the step of:

assembling the hearth guard of claim 1, wherein said hearth guard is assembled to securely fit over exposed surfaces and edges of the raised hearth thereby protectively covering the raised hearth.

Claim 19 (currently amended): The method of claim 18, wherein said assembling step comprises the steps of:

positioning a first end section of said hearth guard onto a first end of the raised hearth, said first end section in a covering relationship ~~to the raised hearth~~ thereto;

positioning a second end section of said hearth guard on a second end of the raised hearth, said second end section in a covering relationship ~~to the raised hearth~~ thereto;

connecting said first and second end sections via said connecting means, said connecting means holding said first and second end sections securely against the raised hearth; and

positioning a center section of said hearth guard between said first and said second end sections, wherein said center section is adjusted in length to fit securely between said first and said second end sections, said center section thereby in a covering relationship to the raised hearth; ~~and~~

~~connecting said center section to said first end section and to said second end section via said connecting means~~ thereby assembling the hearth guard.

Claim 20 (currently amended): The method of claim 19, wherein positioning the center section of said hearth guard comprises the step of:

placing a single ~~molded~~ piece having a permanent 90 degree bend over a center section of the raised hearth.

Claim 21 (currently amended): The method of claim 19, wherein positioning the center section of said hearth guard comprises the steps of:

unfolding a top panel from a front panel or vice versa, both panels comprising a single molded piece of the center section, to form a single ~~molded~~ piece having a 90 degree bend at a juncture of said panels; and

placing said unfolded single ~~molded~~ piece over a center section of the raised hearth.

Claim 22 (original): The method of claim 19, wherein positioning the center section of said hearth guard comprises the steps of:

placing a top panel comprising said center section onto a top center surface of said raised hearth; and

placing a front panel comprising said center section onto a front center surface of said raised hearth, wherein a top edge of said front panel is in contact with and juxtaposed at a 90 degree angle to a front edge of said top panel.

Claim 23 (currently amended): The method of claim 19, further comprising the step of:

covering, separately and removably, a front surface and a top surface of  
said hearth guard with ~~a removable~~ decorative fabric covers.

Claim 24 (currently amended): The method of claim 23, wherein said covering step comprises the steps of:

fastening a first end of a first ~~length of~~ fabric cover to a surface of a front panel or, if a first end of the raised hearth comprises a corner, to a surface of a side panel comprising said first end section via said fastening means;

extending the first ~~length of~~ fabric cover across the front surface of said hearth guard and, if said second end of the raised hearth comprises a corner, a side panel of said second end section;

fastening a second end of the first ~~length of~~ fabric cover to either a surface of a front panel or to a surface of the side panel comprising said second end section via said fastening means, said second fabric end fastened at a position to securely and completely cover the front surface and, if comprising said second end section, the side panel thereof;

fastening a first end of a second ~~length of~~ fabric cover to a surface of a top panel comprising said first end section or to the surface of the side panel, if the side panel comprises said first end section, via said fastening means;

extending the second ~~length of~~ fabric cover across the top surface of said hearth guard and, if comprising said second end section, the side panel thereof;

fastening a second end of the second ~~length of~~ fabric cover to either a surface of a top panel or to a surface of the side panel comprising said second end section via said fastening means, said second fabric end fastened at a position to securely and

completely cover the top surface and, if comprising said second end section, the side panel thereof; and

fastening a top edge of said first fabric ~~length~~ cover to a front edge of said second fabric ~~length~~ cover via said fastening means.

Claim 25 (currently amended): The method of claim 24, further comprising the steps of:

fastening a bottom edge of said first fabric ~~length~~ cover to the front surface of said hearth guard; and

fastening a back edge of said second fabric ~~length~~ cover to the top surface of said hearth guard.

Claim 26 (new): The hearth guard of claim 11, wherein said front surfaces and said top surfaces further comprise a surface of a side panel, said side panel fastened to the front and top panels comprising the end sections.